

JUDGE RODRIGUES: [Interpretation] Thank you.

2 Could you please stand up. You will first read the
3 solemn declaration that the usher will give you.

4 THE WITNESS: [Interpretation] I solemnly
5 declare that I will speak the truth, the whole truth,
6 and nothing but the truth.

7 WITNESS: WITNESS N

8 JUDGE RODRIGUES: [Interpretation] You may be
9 seated now. The representative of the Registry will
10 now show you a piece of paper with something written on
11 it. It is your name. You will have a look at it and
12 tell us, by saying simply "yes" or "no," if it is
13 indeed your name.

14 THE WITNESS: Yes.

15 JUDGE RODRIGUES: [Interpretation] So it is
16 your name that is written on this piece of paper.

17 THE WITNESS: Yes, it is.

18 JUDGE RODRIGUES: [Interpretation] I hope
19 you're comfortable here, Witness.

20 THE WITNESS: Yes, I am.

21 JUDGE RODRIGUES: [Interpretation] I hope
22 you've been well treated by the staff here at the
23 Tribunal.

24 THE WITNESS: Yes. Yes, I have.

25 JUDGE RODRIGUES: [Interpretation] We shall

1 try to do the same, Witness N. We will be referring to
2 you as Witness N during your testimony in order to
3 protect you. You will first answer questions that will
4 be put to you by Mr. Harmon. Thank you for coming to
5 the Tribunal.

6 Mr. Harmon, you have the floor.

7 MR. HARMON: Thank you, Mr. President. Good
8 a afternoon, Your Honours; good afternoon to my
9 colleagues.

10 Examined by Mr. Harmon:

11 Q. Witness N, good afternoon.

12 A. Good afternoon.

13 Q. How old are you?

14 A. I'm 60.

15 Q. Have you lived in the municipality of
16 Srebrenica all your life?

17 A. Yes, I have.

18 Q. Are you a Muslim by faith?

19 A. Yes, I am.

20 MR. HARMON: Mr. President, the next two or
21 three questions I'm going to ask the witness could in
22 some way identify him, so if I could go into private
23 session for two or three questions only.

24 JUDGE RODRIGUES: [Interpretation] Yes,
25 Mr. Harmon. We will go into private session.

1 [Private session]

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7 [Open session]

8 JUDGE RODRIGUES: [Interpretation] We are in

9 open session. Mr. Harmon, you may continue.

10 MR. HARMON: Thank you.

11 Q. Witness N, after the Srebrenica enclave --

12 after Srebrenica became --

13 A. Yes.

14 Q. -- a UN safe area, did you remain in the

15 Bosnian Muslim army or were you released from the army?

16 A. I was released. I didn't remain.

17 Q. All right. Now, at the time of the takeover

18 of the enclave by the Bosnian Serb army, were you

19 living --

20 A. I cannot remember the date.

21 Q. Witness N, let me finish asking my question

22 before you answer, and we will progress very nicely.

23 At the time the enclave was taken over by the Bosnian

24 Serb army, with whom were you living?

25 A. With my wife, my son, my daughter-in-law, a

1 child, and a daughter.

2 Q. And did you live approximately 15 kilometers
3 from the town of Srebrenica?

4 A. Yes, I did.

5 Q. Now, Witness N, I'd like to focus your
6 attention on the 11th of July and ask you to remember
7 back to the 11th of July, and could you tell the Judges
8 what you were doing at the time you learned of the
9 attack on the enclave?

10 A. On the 11th of July I was collecting hay,
11 together with members of my family.

12 Q. Tell the Judges, if you would, Witness N, how
13 you learned about the attack and what you did in
14 response to that information.

15 A. When I got home, I saw that my neighbours had
16 gathered at one point, that they had taken their
17 belongings, whatever they could carry, and I asked,
18 "What is going on?" And they told me that somebody
19 from the civil defence had come and told them to leave
20 the village. Women, children and the elderly were
21 supposed to go to the UNPROFOR base in Potocari, and
22 the able-bodied men were supposed to go wherever they
23 could.

24 Q. Witness N, did you then go to Potocari?

25 A. Yes, I did.

1 Q. And who accompanied you to Potocari?

2 A. My wife went with me, my daughter, my
3 daughter-in-law, and my grandchild.

4 Q. And how long did it take you to get from your
5 village to Potocari on foot?

6 A. It took us around three hours, over the hills
7 to Potocari.

8 Q. Did you arrive in Potocari in the night-time
9 or in the daytime?

10 A. In the night-time I arrived in Potocari.

11 Q. Do you remember where you and your family
12 took refuge in Potocari?

13 A. Yes, I do. We took shelter at the Sacmara
14 factory, the bauxite factory, within the compound of
15 the factory.

16 Q. All right, Witness N. Now I'd like to turn
17 your attention to the next day, the 12th of July. And
18 at some point of time on that day did you and did
19 members of your family attempt to board a bus?

20 A. Yes, I did.

21 Q. When you were attempting to board a bus, what
22 happened to you, Witness N?

23 A. Serb soldiers were standing next to our
24 column, and they grabbed me by the shoulder and they
25 told me, "Come here, old man. Get out of there."

1 Q. And what happened to your family?

2 A. My family went in the direction of the buses.

3 Q. Did they, in fact, board a bus and did they,

4 in fact, arrive safely in the free territory?

5 A. Yes, they did.

6 Q. Now, where did you go?

7 A. To the left side of the road, and I remained

8 standing there.

9 Q. Were you taken to a particular building after

10 you had been separated?

11 A. After they had gathered a group of people, 15

12 to 20 people, Serb soldiers told us that we could no

13 longer stand there, and they told us to go up the hill

14 to a partly finished house. And this is where we

15 went. We entered the ground floor of that unfinished

16 house and sat down, and they stood guard around us.

17 Q. Can you describe how the soldiers who

18 separated you and how the soldiers who guarded you at

19 this location were dressed?

20 A. They were dressed in green camouflage

21 uniform.

22 Q. Witness N, while you were in the building,

23 were there other Muslim men also detained along with

24 you?

25 A. Yes, there were.

1 Q. Approximately how many were located in the
2 building, in the part of the building where you were
3 being detained?

4 A. About 200.

5 Q. At some point during the period of your
6 detention in that building, did you see General Mladic?

7 A. Yes, I did.

8 Q. Tell the Judges about that particular
9 encounter with General Mladic.

10 A. One of the Serb soldiers, after quite a few
11 of us had gathered there and after we had asked him why
12 we had been separated, told us, "I don't know. General
13 Mladic is coming now, so you can ask him."

14 And then an officer appeared. He wasn't
15 wearing any hat, any cap. He had balding, receding
16 hair. He emerged from the road and he was accompanied
17 by three or four other Serb soldiers and he came to the
18 door of the house where we were. And he said, "Hello,
19 neighbours," and he asked us if we knew him. Some of
20 us said yes, some of us said no. And then Ratko Mladic
21 said, "Well, those who don't know me now have an
22 opportunity to see me." And then I asked him a
23 question: "General, why are you separating us from our
24 families?" And he said, "I have 180 Serbs captured in
25 Tuzla. Your people do not want to release them, so I

1 have to have 180 of you so that I could exchange you
2 for them." And then he went back along the same way
3 and we remained sitting there.

4 When night fell, we were ordered by the Serb
5 soldiers who were standing guard around us to take our
6 belongings and to move ahead in front of their
7 soldiers. Those who were sitting outside the house
8 stood up first, and they then went in the direction of
9 Bratunac, across the fields. Those of us who were
10 inside the house followed them, and we covered about
11 200 meters and after that we turned right, to the
12 right, and went along the road leading from Potocari to
13 Bratunac.

14 We got to the road leading to the battery
15 factory, which was in the vicinity of the UNPROFOR
16 base, and two buses stood parked there. And the men
17 who arrived first boarded the last bus, and those who
18 came afterwards boarded the first bus. I got on the
19 first bus, and at that time it was already crowded, and
20 I could see on the right-hand side, on the right side
21 of the bus, I could see General Mladic and several
22 other soldiers around him.

23 When I got on the bus, I saw a red car ahead
24 of the bus, and after everybody had got on the bus, a
25 Serb soldier entered the bus and he went to the

1 driver. And he was standing there and carrying an
2 automatic rifle. General Mladic approached the bus and
3 he told the driver to shut the door and to follow the
4 red car. The driver shut the door of the bus, and the
5 red car set off and we followed it. And this is how we
6 reached Bratunac. After that we went in the direction
7 of Kravica.

8 Q. Let me interrupt you there for a minute,
9 Witness N. How many men were in the bus along with
10 you?

11 A. As many as they could put on the bus, because
12 we were being told to move backwards to the bus, and
13 this is how we got in. We were all cramped in that
14 bus.

15 Q. Was there a guard on the bus that accompanied
16 you in the direction of Bratunac?

17 A. Yes. There was a soldier who was armed with
18 an automatic rifle. It was a Serb soldier.

19 Q. Do you remember how that soldier was dressed?

20 A. In camouflage uniform.

21 Q. What colour was the camouflage uniform?

22 A. Green and dark green.

23 Q. Now, where did you go in that bus?

24 A. We went to Bratunac.

25 Q. And do you know -- did you stop in Bratunac?

1 A. Yes, we did.

2 Q. Did you recognise the location where you had
3 stopped?

4 A. I recognised the location after we had passed
5 by a school building. After that we stopped in front
6 of an abandoned warehouse.

7 Q. What happened when you stopped in front of
8 that abandoned warehouse?

9 A. We found a group of Serb soldiers there, and
10 one of them approached the bus, the driver opened the
11 door of the bus, and he ordered us out of the bus and
12 he told us to march in front of the Serb soldiers.
13 They had made a column, and we were marching in front
14 of them, and this is how we entered the warehouse.

15 Q. Approximately how many Serb soldiers were
16 waiting for the arrival of your bus?

17 A. Between 10 and 15.

18 Q. Do you have any recollection as to how those
19 soldiers were dressed?

20 A. They were dressed in camouflage uniforms as
21 well.

22 Q. Do you remember the colour, or were you able
23 to distinguish the colour of those uniforms?

24 A. Again, green and dark green camouflage
25 uniforms. This is how we called them: camouflage

1 uniforms.

2 Q. Did you and did all of the men who were on
3 the bus in which you travelled get off the bus and go
4 into the warehouse?

5 A. Yes, they did.

6 Q. And what did you do when you got inside the
7 warehouse building?

8 A. We sat down.

9 Q. What kind of a room was it that you sat down
10 in?

11 A. It was off-white in colour. It had not been
12 properly maintained, that warehouse.

13 Q. Do you remember the approximate dimensions of
14 the room where you and the other men sat down?

15 A. I think that it was about 15 meters long and
16 7 to 8 meters wide.

17 Q. Now, after you and the men from your bus
18 entered that room in the warehouse, did other Muslim
19 men continue to arrive and fill the room?

20 A. Yes, they did.

21 Q. Can you describe eventually how full that
22 room was with Muslim men?

23 A. After the last group had been brought in, we
24 were ordered to stand up and to move to the back, so
25 that the last group who was outside could also get in.

1 So we moved to the back as far as we could, and then
2 the last group entered the warehouse and then we were
3 ordered to sit down. But there was no longer enough
4 room for everyone to sit down, so somebody -- some
5 people sat down and others sat on their laps.

6 Q. Witness N, do you remember approximately what
7 time of the evening it was when you arrived at this
8 particular warehouse on the 12th of July?

9 A. It could have been about 10.00 at night.

10 Q. Now, could you tell the Judges your
11 experiences that you had and what you observed
12 happening to the other Muslim men who were in that room
13 that particular night and the early morning hours that
14 followed?

15 A. When we entered, there wasn't enough room,
16 and we complained that we would suffocate. And then
17 the Serb soldiers shot over our heads and shouted,
18 "Keep silent or we'll kill you all," and then we fell
19 silent. Then someone in the area where we had entered
20 said, "You 12 have to carry out the assignment given to
21 you. Do you understand that?" And he was speaking in
22 a sharp tone. And then a group said, "Yes, sir," as
23 one. And then Serb soldiers came with flashlights and
24 they lighted us up. And then they asked where people
25 were from, the people from Glogova, people from Cerska,

1 people from Bratunac, and people answered. And then
2 they said, "The people from Glogova get up." One man
3 got up. The Serb soldiers said, "Come out here." He
4 left the warehouse to the left, the direction through
5 which we had entered the warehouse. We could hear
6 blunt blows and his screams and moans. When all this
7 stopped, again they came back with their flashlights,
8 calling out people from various places. Nobody
9 admitted to being from those places, so then the
10 flashlight was pointed at anyone at random, and that
11 person had to get up and go out. That is how they
12 continued to kill people.

13 Sometimes they would bring somebody back,
14 badly beaten up, carrying them by the arms. They
15 brought them to the doorway, and then a third one would
16 push him into the room, and then the people were
17 carrying -- that would carry this person from one hand
18 to another. And this went on until the morning.

19 In the morning they stopped taking people
20 out. The people holding the dead complained that they
21 couldn't stand it any longer, and they wanted to have
22 them carried out. And so they allowed it and they let
23 the people take out the dead bodies. Two people would
24 take out the body and carry it outside the hall, behind
25 the warehouse.

1 Q. Witness, let me stop you right there and ask
2 you some questions, some additional questions about
3 that particular night in the early morning hours. Were
4 you able to hear the soldiers who were guarding you
5 talk amongst themselves?

6 A. I was. They introduced themselves. They
7 asked us, "Do you know who we are, whose soldiers we
8 are?" We kept quiet; we didn't reply. And then they
9 would hit each other on the soldier and say, "This one
10 is an Arkanovac," and he would say yes. And then
11 another one would say he belonged to the wolves, Drina
12 Wolves, and he would say yes.

13 Q. Now, during the night, in the early morning
14 hours of the following morning, were you given any
15 food? Were you given any water?

16 A. When they carried out the dead, we heard two
17 trucks approaching the warehouse. We thought that they
18 would be transporting us somewhere; however, a Serb
19 soldier came to the doorway and said, "I need 10
20 volunteers, hard-working ones and younger ones, to do
21 something for us." We knew immediately that they would
22 be loading the bodies.

23 Q. Now, Witness N, let me just ask you to answer
24 the question that I ask, and that is: Did you receive
25 any water or did you receive any food the night of the

1 12th and the morning hours of the 13th?

2 A. We didn't receive anything until the
3 morning.

4 Q. Now, I interrupted you, and you were telling
5 us about ten men who had been taken out. Would you
6 please continue with your observations and what you
7 recall about that incident.

8 A. Then they picked ten men, pointing them out
9 with their fingers. Ten of them went out. There was
10 silence for a while. While we could hear those motor
11 vehicles departing from the warehouse, these ten men of
12 ours never reappeared amongst us again.

13 Q. Were toilet facilities available to you and
14 the other men who were being detained in the warehouse?

15 A. Then they allowed us to go to the toilet and
16 they showed us, as you go out of the warehouse, on the
17 right-hand side, there was a room to be used as a
18 toilet. So we went out, and I went out too.

19 As I was coming from the toilet, I saw them
20 taking one out of the line of men and taking him to the
21 left. I saw two men standing on the left-hand side.
22 There were Serb soldiers, two on the left, three on the
23 right, and there was one facing the warehouse with an
24 automatic rifle in his hand and shouting, "Come to me."
25 And as he went toward him, he had stopped for a

1 while, and this one kept saying, "Come here."

2 And then on the left hand, the soldier
3 standing to the left hit him with an iron rod on the
4 head. And the Serb soldier standing on the right had a
5 hatchet, and hit him on the back with the blade of the
6 hatchet.

7 I entered the big room, but they continued
8 taking men out and killing them. And this went on
9 until the afternoon.

10 Q. Now, when you say "they took men out" and
11 continued killing them, to whom are you referring?

12 A. Serb soldiers. I mean Serb soldiers.

13 Q. Were they dressed in the same fashion that
14 you've described earlier or were they dressed in a
15 different fashion?

16 A. They were dressed in the same fashion.

17 Q. Now, what time in the afternoon of the 13th
18 did the killing stop?

19 A. About 4.00 in the afternoon, about 1600
20 hours.

21 Q. What happened then?

22 A. Then, again, we heard two motor vehicles
23 approaching the warehouse. Again, one of the Serb
24 soldiers asked for ten men to go out to do something
25 for them. Nobody volunteered, so he selected ten men,

1 who went out.

2 There was silence for a while, and then again
3 we heard the engines being turned on and the vehicles
4 going away. Those ten men never returned to the
5 warehouse either.

6 Q. What happened then, Witness N?

7 A. Then they stopped killing and they said
8 General Mladic is coming now. And he appeared in the
9 doorway, a general of the Serb army, Ratko Mladic. We
10 asked him, "Why are you keeping us here? Why are you
11 choking us here? Why don't you take us some place?"

12 He said, "I haven't managed to negotiate your
13 exchange earlier. We have agreed now, and you will all
14 be exchanged and you're going to Kalesija to be
15 exchanged. But let one of your men count how many you
16 are so that I can determine how many buses I need."

17 One of our men got up, and when he counted
18 us, he said to Ratko Mladic that there were 296 of us.

19 He said, "Sit down and vehicles will be
20 coming to transport you to Kalesija."

21 Q. Now there were 296 men reported to be in the
22 room, in the warehouse where you were located?

23 A. Yes, yes.

24 Q. To your knowledge, were there other Muslim
25 men located in other parts of the warehouse, if you

1 know?

2 A. When they came back, those of them who had
3 taken the dead out of the warehouse, they came back in
4 tears. We asked them, "What's wrong?" And they said,
5 "It's not only that they're killing here, but they're
6 killing somewhere else. They're bringing our men; our
7 men are bringing them and putting them on the same
8 pile."

9 I heard this from the man who had taken out
10 the dead bodies from our warehouse.

11 Q. And when you say the men who had taken out
12 the dead bodies from your warehouse room, you're
13 talking about the five dead Muslims who had been --

14 A. Yes, yes, the five dead Muslims that ten of
15 our men carried out.

16 Q. And so what is your conclusion, Witness N,
17 based on the conversations that you had with the men
18 who had taken out the dead and returned? Is it your
19 conclusion that there were other Muslim men being
20 detained in the same warehouse but at different parts
21 of the warehouse?

22 A. That was our conclusion, that somewhere in
23 the immediate vicinity there must have been other
24 Muslim men that were being killed.

25 Q. Now, at some point in time on the 13th, did

1 some buses and trucks arrive at the warehouse to
2 transport you and other Muslim men to another location?
3 A. Yes. Six buses arrived and then the Serb
4 soldiers gave orders that we should get up and form a
5 line one by one, because vehicles had come to transport
6 us. We got up.

7 When I got out, I saw six buses standing in
8 the immediate vicinity. I could recognise Bauxite
9 Milici and Centrotrans Sarajevo; those were the
10 markings on the buses. I didn't recognise the other
11 markings.

12 Q. Now, you say Bauxite Milici. Is Milici down
13 in the Srebrenica municipality or in a different
14 municipality?

15 A. It is a small town within the territory of
16 Vlasenica municipality.

17 Q. And I believe you also said there was another
18 location, another mark on the bus that you noticed.
19 What was the other mark that you noticed?

20 A. Centrotrans, from Sarajevo.

21 Q. All right. Now, do you know the approximate
22 time that these buses arrived on the 13th?

23 A. It was an hour before nightfall.

24 Q. Did you get on one of those buses?

25 A. I did. I got on to a bus with Centrotrans

1 Sarajevo written on it.

2 Q. How many men besides yourself got on this

3 Centrotrans bus?

4 A. There were quite a number standing who didn't

5 have enough seats to sit down, but I didn't count them.

6 Q. So all the seats were filled on the bus and

7 there were people standing in the aisle; is that

8 correct?

9 A. Yes, yes.

10 Q. Now, of the 296 men who were in the room of

11 the warehouse where you were located, were you able to

12 estimate the ages, the range of ages of the men who

13 were in that room?

14 A. They were up to 60 and some were over 60.

15 There was some who could hardly move with a stick.

16 Q. Do you have an estimate as to the youngest

17 person in the room, in your room?

18 A. When we were coming out of the room into the

19 bus, I didn't see any young people.

20 Q. Now, did you leave Bratunac?

21 A. We did.

22 MR. HARMON: Now, if I could have

23 Prosecutor's Exhibit 1/E/1 placed on the ELMO.

24 Q. I'm going to ask you to indicate on this map,

25 Witness N, for the benefit of the Judges, the direction

1 that you travelled after you left Bratunac. There is a
2 pointer -- there should be a pointer in front of you.

3 Do you see the town of Bratunac?

4 A. Yes, I do. I do. I see it. Here it is

5 [indicates].

6 Q. Could you use your pointer and show the
7 Judges your route of travel after you left Bratunac.

8 A. From Bratunac, we went towards Serbia

9 [indicates]. We reached the Drina River. There's a
10 bridge leading to Serbia. We didn't cross that
11 bridge. So we went to the left, towards Zvornik
12 [indicates]. We reached Zvornik, and then we went on
13 to Karakaj. When we got to Karakaj, we turned left,
14 when we got to a school and a large hall attached to
15 the school.

16 Q. Now, let me stop you there for just a minute,
17 Witness N.

18 MR. HARMON: For the record, on Prosecutor's
19 Exhibit 1/E/1, the witness pointed to a road that goes
20 from Bratunac toward the Drina River, in a direction to
21 the right side of the exhibit, and then follows the
22 course of the river up through Zvornik to a town which
23 is marked on the map, called Karakaj. Then the witness
24 indicated that the bus turned left on a road that is
25 marked, and there's a town on that which I,

1 unfortunately, can't read off of the ELMO, but it looks

2 to me like it begins with the letter "P."

3 Q. Witness N, can you see the -- it looks like

4 Petkovci, so that is --

5 A. Petkovci.

6 Q. -- the route that the witness travelled.

7 Thank you, Witness N.

8 MR. HARMON: I'm finished with that

9 exhibit.

10 Q. How long did it take you from the time you

11 left Bratunac to the time you got to this destination

12 up near Petkovci, near this school?

13 A. Five hours.

14 Q. Were there interruptions along the journey,

15 along the route?

16 A. Yes, there were several breaks.

17 Q. Do you know -- strike that. Were you able to

18 look around in your bus and see how many vehicles in

19 your convoy were going north towards Zvornik?

20 A. No, I could only see the bus in front of me.

21 Q. Now, on your bus, was there a guard or more

22 than one guard?

23 A. There were; one, only one guard, armed with

24 an automatic rifle, wearing a camouflage uniform.

25 Q. Now, let me ask you this: Did you see any

1 other buses that -- strike that. The vehicle that you

2 saw in front of you, was it a bus or a truck?

3 A. A bus.

4 Q. Were you able to see whether that bus was --

5 how many people were in that bus?

6 A. One could see through the windows that there

7 was a whole line of people standing in the aisle, that

8 there wasn't enough room for everyone to sit down.

9 MR. HARMON: Now, could I have that Exhibit

10 1/E/1 placed back on the ELMO, please, because I may

11 have indicated incorrectly the direction.

12 Q. What I'd like you to do, please, Witness N,

13 again take that pointer and -- take your pointer and

14 could you tell me when you got to the town of Karakaj.

15 There appear on that diagram to be two roads; one below

16 the town of Karakaj and one directly above the town of

17 Karakaj.

18 Do you know which of those two roads you took

19 or do you merely recall turning left near the town of

20 Karakaj?

21 A. I just remember that we turned left. It was

22 night-time, and the windows of the buses were not very

23 clean, so one couldn't know, and I'm not very familiar

24 with the area either.

25 MR. HARMON: Thank you, very much.

1 Mr. President, we normally break at this time. I'm

2 prepared to continue or to take a break at this time.

3 JUDGE RODRIGUES: [Interpretation] Yes, I

4 think we need to adjourn. It is time. Shall we

5 adjourn.

6 Yes, Mr. Visnjic, you have something to say?

7 MR. VISNJIC: [Interpretation] Mr. President,

8 it is not linked to this witness, but if you have

9 decided that we should adjourn -- but reviewing the

10 transcript on page 94 line 7, the last answer given by

11 the previous witness, Witness M, and his last answer to

12 Judge Wald's question.

13 I think during the translation, and I must

14 say that we all found the witness rather hard to

15 follow, I think that during the translation, an error

16 was made, so that the answer of that witness differs

17 from the meaning in the transcript.

18 I intervened with the interpreters, and they

19 will probably be correcting the transcript. So I wish

20 to make this formal objection so that it shall be

21 registered.

22 [Trial Chamber confers]

23 JUDGE RODRIGUES: [Interpretation]

24 Mr. Visnjic, thank you very much for drawing our

25 attention to this problem. What we are going to do is

1 that we are going to send the audio and visual tape to
2 the translation section. The translation section will
3 check, and if the translation is not correct, doesn't
4 correspond to the original, then the transcript will be
5 corrected.

6 MR. VISNJIC: [Interpretation] Thank you very
7 much, Your Honour.

8 JUDGE RODRIGUES: [Interpretation] Thank you
9 too.

10 Before adjourning, Mr. Harmon, in order to
11 see how we are going to work until the end of the week,
12 where do we stand in relation to the witnesses here
13 present in The Hague. Are we going to have a chance to
14 hear them? Are we running the risk of leaving a
15 witness from the end of the week until I don't know
16 when we meet again. So could you give us some
17 information, Mr. Harmon?

18 MR. HARMON: We anticipate completing the
19 testimonies of the witnesses, of all of the witnesses
20 who are here at The Hague, by Friday. In fact, we may
21 end up short of time in which case, we are prepared to
22 present different types of evidence to the Chamber to
23 complete the trial day.

24 We have three witnesses remaining.

25 JUDGE RODRIGUES: [Interpretation] Very well.

1 What I would like to avoid is to have witnesses whom we
2 have to send back because we can't hear them or to have
3 a witness who would have to be half finished.

4 As it is 2.30, if you have other evidence in
5 addition to witnesses, it would be a good idea to
6 present that evidence to make use of the time.

7 As you know, we have a Status Conference
8 tomorrow at quarter past two. Perhaps I need to warn
9 the interpreters that we may be working a quarter of an
10 hour longer tomorrow. That's enough for today.

11 Witness N, you will stay here. We will be
12 continuing your testimony tomorrow. I hope you will
13 have a restful evening.

14 A. Thank you Your Honour.

15 --- Whereupon the hearing adjourned
16 at 2.33 p.m., to be reconvened on
17 Thursday, the 13th day of April, 2000,
18 at 9.30 a.m.

19
20
21
22

1 Thursday, 13th April 2000

2 [Open session]

3 --- Upon commencing at 9.39 a.m.

4 [The accused entered court]

5 JUDGE RODRIGUES: [Interpretation] Good

6 morning, ladies and gentlemen; good morning,

7 technicians; good morning to our interpreters, our

8 legal clerks; good morning, counsel for the

9 Prosecution, counsel for the Defence; good morning,

10 General Krstic. We will resume our hearing in the

11 Krstic case. The appearances are the same, for the

12 record. And if I could have the witness brought into

13 the courtroom, please. I believe it's still Witness N.

14 MR. HARMON: Yes. He's a protected witness,

15 and we'll have to draw the blinds.

16 Good morning, Mr. President, Your Honours;

17 good morning, counsel.

18 JUDGE RODRIGUES: [Interpretation] For the

19 public, let me just say that the blinds will be pulled

20 down while the witness is being brought in, and after

21 that they will be pulled up again.

22 [The witness entered court]

23 JUDGE RODRIGUES: [Interpretation] Good

24 morning, Witness N. Can you hear me?

25 THE WITNESS: Yes, I can. Good morning.

1 JUDGE RODRIGUES: [Interpretation] Have you

2 had a restful night? Did you sleep well?

3 THE WITNESS: Yes, I did.

4 JUDGE RODRIGUES: [Interpretation] You may be

5 seated now.

6 THE WITNESS: Thank you.

7 JUDGE RODRIGUES: [Interpretation] Let me just

8 remind you that you are still under an oath and that

9 you will continue answering questions that will be put

10 to you by Mr. Harmon. Thank you.

11 Mr. Harmon, you have the floor.

12 MR. HARMON: Thank you, Mr. President.

13 WITNESS: WITNESS N [Resumed]

14 [Witness answered through interpreter]

15 Examined by Mr. Harmon: [Cont'd]

16 Q. Good morning, Witness N.

17 A. Good morning.

18 Q. When we concluded your testimony yesterday,

19 you were describing your journey from a warehouse in

20 Bratunac to a school somewhere in the area of Zvornik,

21 and you had left the warehouse sometime on the 13th of

22 July; is that correct?

23 A. Yes, it is.

24 Q. Now, approximately what time did you arrive

25 at the school that was located in the Zvornik area?

1 A. It was past midnight.

2 Q. So you arrived in the early morning, then, of
3 the 14th of July?

4 A. Yes.

5 Q. Had you ever been to that school before?

6 A. No, I had not.

7 Q. Witness N, would you tell the Judges what
8 happened once you arrived at the school.

9 A. Once we arrived in the schoolyard, the buses
10 stopped and the Serb soldiers approached the buses.
11 The buses opened -- the doors of the buses opened and
12 people started coming out in columns. They were going
13 in the direction of a gym, of a gymnasium, and they
14 were getting into that gym. At that moment, the doors
15 of my bus opened as well and we got out, and we passed
16 by some Serb soldiers and went in the direction of the
17 gym, and we entered the gym and sat down.

18 Q. Now, when you got off the bus, Witness N,
19 approximately how many Bosnian Serb soldiers did you
20 see?

21 A. Between 15 and 20, 15 to 20 soldiers.

22 Q. And do you recall how those soldiers were
23 dressed?

24 A. They were dressed in camouflage uniform.

25 Q. Do you remember the colour of the

1 camouflage? Was it a police camouflage uniform or was

2 it an army camouflage uniform?

3 A. An army camouflage uniform.

4 Q. Now, you said you went into a gym.

5 MR. HARMON: If I could have Prosecutor's

6 Exhibit --

7 A. Yes.

8 MR. HARMON: -- 19/5 placed on the ELMO.

9 Q. Witness N, I'm going to show you a

10 photograph, an interior photograph of a gymnasium, and

11 I'm going to ask you if you can identify this

12 particular photograph. The usher will place it on the

13 ELMO and you'll be able to see it on the monitor in

14 front of you.

15 MR. HARMON: It's not very visible on the

16 monitor. Perhaps, Mr. Usher, if you could show this

17 photograph to the witness first and then we can place

18 it on the monitor.

19 Q. Witness N, is this the gymnasium where you

20 and the other men were brought in that school area?

21 A. Yes, it is.

22 Q. All right. Now --

23 MR. HARMON: Thank you, Mr. Usher. I've

24 concluded with that exhibit.

25 Q. After you arrived and the people on your bus

1 and the people in your convoy, did other Muslim men
2 continue to arrive and continue to enter into the
3 gymnasium?
4 A. Yes, they did, but when it dawned, after it
5 had dawned, the groups were still being brought in and
6 they were taken into the gymnasium as well. This
7 lasted until I don't remember what time, but after
8 that, at one point General Mladic appeared at the door,
9 and because we were very crowded in that gymnasium and
10 because we were not given any bread or water, we cried
11 out, all in one voice, "Why are you torturing us
12 here?" And then he said, "Well, your government does
13 not want you, and I have to take care of you." One
14 group of you will be taken to Kladusa, to Fikret Abdic,
15 and one group will be transported to Bijeljina. You
16 will also be given water when you get out of the gym.
17 He left, and then later --

18 Q. Let me interrupt you right there for just a
19 second. Can you estimate the number of men who were in
20 the gym with you when the gym was at its fullest
21 capacity?

22 A. About 2.500.

23 Q. Now, at any point in time while you were in
24 that gymnasium, did Bosnian Serb soldiers come into the
25 gymnasium and shoot their weapons, shoot their guns?

1 A. Yes, they did. We would from time to time
2 start shouting, because we couldn't take it anymore.
3 We were suffocating. There was no air, there was no
4 water. And then we would start shouting and they would
5 then open fire and shoot above our heads. And then
6 everything would be silent for a while and they would
7 say, "Just keep quiet, else you will all be shot."

8 Q. Now, Witness N, continue describing what
9 occurred to you and to the other men at that gymnasium,
10 please.

11 A. Then the Bosnian Serbs who were standing
12 guard issued some orders. There was a group of them
13 standing to the left of the door, of the main door, and
14 they ordered men to get out of the gymnasium through
15 that door. They said that they would be taken
16 somewhere. And the Bosnian Serb soldiers then brought
17 some stripes of cloth with which they blindfolded us,
18 and they gave some people some water and left
19 somewhere. A column would march for a while and then
20 it would stop, and this would last for a couple of
21 minutes and then another column would be leaving the
22 gymnasium after that.

23 When people starting getting out, we heard
24 somewhere, coming from the distance, bursts of
25 gunfire. Then it would stop, then everything would be

1 quiet for a while, and after a while we would hear
2 rifles being fired again, again at the same spot. And
3 some elderly people said at that point, "They're taking
4 everyone. They're killing everyone." And in the
5 evening hours, between 7.00, 7.30 p.m., it was my turn
6 to leave the gymnasium, together with some other
7 people. I drank some water, and I was blindfolded, and
8 I boarded a small truck which is called tamic.

9 After it got full, it set out, and a red
10 vehicle was following the truck and there was one
11 soldier with an automatic rifle there and he was
12 threatening us. He didn't let us speak. He said, "I
13 will kill you all."

14 We did not travel for very long. At one
15 point we turned off the road and went into a field,
16 where we saw a lot of dead people. The TAM truck
17 stopped and two Serb soldiers approached the truck.
18 They opened the backside of the truck and they ordered
19 us to get out. And I was the last one in the truck, so
20 I was taken out first. And they showed me where I was
21 supposed to stand, next to some dead bodies. And
22 everybody was lined up like that, in several rows, with
23 their backs facing them.

24 The tamic left immediately, and immediately
25 after it had left, we heard automatic rifles being

1 fired. Everybody fell down at that point, and those
2 who were not killed, who were still giving some signs
3 of life, were shot at individually, were killed
4 individually. I didn't dare move. I was just looking
5 downwards towards the ground. And when the TAM truck
6 left, when it moved, I turned around and I realised
7 that it was taking people to another location. It was
8 the same kind of truck, the same TAM truck, and it was
9 also followed by a red car.

10 And after a while the red car came back, and
11 a little later this same TAM truck came to my location
12 and it brought people to our location again, some 10 to
13 15 meters away from me. Men were again being ordered
14 out of the truck and taken out. And the red car also
15 stopped and Ratko Mladic got out of the car, together
16 with the soldiers who were accompanying him, and they
17 were watching people being taken out of the TAM truck
18 and being lined up and executed.

19 After they had finished their job, Ratko
20 Mladic sat down in the same red car and he went back in
21 the direction of the gymnasium.

22 They continued bringing people and killing
23 people and this lasted until dusk. Behind my back
24 there was an excavator who was digging a mass grave.

25 Q. Now, let me interrupt you right there for a

1 minute, Witness N. I want to clarify a couple of
2 points in your testimony.

3 You said when you left the school, a
4 blindfold was put over your eyes, and you testified
5 when you were in the truck in route to the execution
6 field, you could see a red car that was following you.
7 How was it, if you were blindfolded, you could see a
8 red car that was following you?

9 A. When I was blindfolded, immediately when they
10 had blindfolded me, I moved the blindfold a little bit
11 upwards so that I could see. (redacted)
12 (redacted)
13 (redacted). But they weren't paying much
14 attention to whether people were taking off their
15 blindfolds or not. They were simply telling us not to
16 talk and that was all.

17 Q. Now, Witness N, can you describe the soldiers
18 who were the executioners? How were they dressed; do
19 you remember?

20 A. Yes, I remember. They were dressed in dark
21 green camouflage uniforms.

22 Q. All right. Let's carry on with your account
23 of the events on the 14th of July. You said, before I
24 interrupted you, that you had seen some kind of
25 mechanical equipment doing something. Could you tell

1 the Judges what you saw and what you saw it doing.

2 A. I saw an excavator. It was behind my back.

3 It had a bucket, a kind of shovel. And it's a kind of

4 machine that can both dig into the earth and also

5 transport various material.

6 Q. Now, when you saw that excavator, was it dark

7 outside or was it light?

8 A. It was daylight.

9 Q. Okay. And how long did that excavator work

10 in your vicinity?

11 A. It worked until nightfall. When it became

12 dark, another excavator arrived and they switched on

13 their headlights.

14 At that point, they were bringing bodies to

15 one location only, and they were killing people at that

16 location and the lights of the excavators were on and

17 they kept killing men. And this continued until they

18 finished off everyone. And when the last TAM truck

19 arrived, somebody said, "That's it, there's no one

20 left." One of the Serb soldiers asked, "Are we going

21 back with you?" And this other man replied, "No,

22 you're not going back with me. Maybe there will be

23 another truck coming back to pick you up, and then you

24 will go back. If it doesn't show up, then you will

25 have to stand guard all night."

1 Then after the truck had left, they remained
2 standing and smoking next to the excavator. After
3 that, a similar truck arrived with its lights on and I
4 could hear people talk, but I didn't make out what they
5 were saying.

6 Then they switched off their lights, and we
7 could see well, because it was moonlight. Then
8 everybody sat down in the excavator and the truck and
9 they went in the direction of the gymnasium.

10 After they had left, I stood up and I started
11 shouting. I wanted to see if there was anyone alive so
12 we could leave together.

13 Q. Before we get to that part of your testimony,
14 do I understand your testimony correctly, then, that
15 while the excavators were working and while it was
16 dark, additional men, Muslim men were being brought to
17 the execution site and were being executed in the front
18 of the lights of these excavators?

19 A. Yes.

20 Q. Now, let me show you two exhibits.

21 MR. HARMON: And before I show you these
22 exhibits, Mr. Dubuisson, it will be Prosecutor's
23 Exhibit 20/5 and 20/8.

24 Q. Immediately behind the execution field where
25 the men had been killed, can you describe the terrain?

1 MR. HARMON: Not yet, Mr. Usher.

2 Q. Can you describe the terrain, Witness N. Was
3 it level, was it -- did it have other types of physical
4 features?

5 A. It was more or less level, flat; not
6 completely, but almost. But where the excavator was
7 digging, there was a slope, a little hill. There
8 wasn't much grass on it. It was a kind of field and it
9 was not completely flat.

10 Q. And behind the grass field, what was there?

11 A. There was a small forest above the area where
12 the excavator was working, up the hill, up the slope, a
13 small forest.

14 Q. Now, while you were at the execution site,
15 did you notice any unique kind of physical structure
16 that was in the area?

17 A. I noticed a kind of iron fence, iron
18 railing. I don't know whether it was part of a bridge
19 or whether it was just a fence that was there as a kind
20 of protection. This is what I noticed.

21 Q. Now, I've shown you Prosecutor's Exhibit
22 20/5.

23 MR. HARMON: And if you could put that on the
24 ELMO, please, Mr. Usher.

25 Q. You've had an opportunity to see this; is

1 that correct, Witness N?

2 A. Yes, I have. I saw the same fence there in
3 the immediate vicinity of the grave where the execution
4 site was.

5 MR. HARMON: Now could you next place
6 Prosecutor's Exhibit 20/8 on the ELMO. Thank you.

7 Q. Do you see that same fence in Prosecutor's
8 Exhibit 20/8?

9 A. Yes, I do.

10 Q. Can you point it out, please?

11 A. [Indicates].

12 MR. HARMON: Indicating, for the record, the
13 small rail above the tunnel leading underneath the
14 railroad tracks.

15 Q. Thank you, Witness N. Now, therefore, does
16 this location that's depicted in this photograph appear
17 to you to be the same location where you were at the
18 time of the executions?

19 A. Yes, I think it's the same location where the
20 executions took place.

21 Q. Now, Witness N, I interrupted you when you
22 had testified that you had stood up after everybody had
23 left. What happened then?

24 A. I called out is there anyone alive for us to
25 go? And one nearby answered back and said he was

1 alive. He got up, and we left that location and
2 crossed the pastures and turned left uphill into a wood
3 there.

4 In the wood, we sat down to have a rest. And
5 then we heard shots at the same spot. The man with me
6 said, "There they are. They've come back again." And
7 I said "Let them." Then we saw another shot closer to
8 us. And then he said, "They must have seen our traces
9 through the high grass," because there was moonlight.

10 As we felt them coming after us, we turned to
11 the right and entered a thick thicket on our stomachs.
12 They were following us, they shot into the woods, and
13 then we wondered where we should go. And then we
14 thought let's go to the railway track and retrace our
15 steps. The railway track was immediately nearby.

16 So when they went back to the place where
17 they started shooting, we got up and went through the
18 woods towards Tuzla.

19 So the next day, when it dawned, another man
20 appeared on the hill who had been there at the
21 execution site like us. He joined us and continued
22 with us and we crossed into free territory at Nezvuk.

23 Q. What date was that?

24 A. The date was the 19th. I think it was a
25 Wednesday.

1 Q. Now, one last question: When you stood up,
2 were you able to look around the execution field and
3 were you able to estimate the number of bodies that
4 were laying in that field?

5 A. It seemed to us that there were more than we
6 had seen in the gym. That's what it looked like to us.

7 Q. All right. Witness N, I've concluded my
8 examination of you.

9 MR. HARMON: Mr. President --

10 Q. Now it's the time for the Defence lawyers to
11 examine you, Witness N. Thank you very much.

12 JUDGE RODRIGUES: [Interpretation] Thank you,
13 Mr. Harmon.

14 Witness N, you are now going to answer
15 questions put to you by Mr. Petrusic, the Defence
16 counsel for Mr. Krstic.

17 Mr. Petrusic, you have the floor

18 Cross-examined by Mr. Petrusic:

19 MR. PETRUSIC: [Interpretation] Thank you,
20 and good morning Your Honours; my learned friends from
21 the Prosecution.

22 Q. Good morning, Witness.

23 A. Good morning, Mr. Lawyer.

24 Q. When you reached the warehouse in Bratunac on
25 the 12th of July, people started to be taken out in the

1 evening, Muslims started to be taken out?

2 A. Yes.

3 Q. They took out Hamdija Efendic?

4 A. No, Hamed Efendic.

5 Q. Yes, I'm sorry, Hamed. Hamed Efendic was the

6 president of the Party of Democratic Action of

7 Srebrenica?

8 A. Yes.

9 Q. Did they look for him by name and take him

10 out because he was the president?

11 A. They brought him there separately, and they

12 called him out specifically to come out, but they

13 didn't say why he was being taken out, whether it was

14 because he was the president or not.

15 Q. Was it your conclusion that that was the

16 reason why they took him out?

17 A. I don't know.

18 Q. Do you know what happened to Hamed?

19 A. A rifle shot was heard and one of those, your

20 Serb soldiers said, "He's killed, he's finished. Don't

21 shoot again."

22 Q. And the others that were taken out were

23 called out by their first and last names?

24 A. Yes.

25 Q. Or were they called out by the village they

1 came from?

2 A. Yes.

3 Q. So they were looking for particular people?

4 A. Yes, from particular places.

5 Q. They looked for Ibran Mustafic as well,

6 didn't they?

7 A. Yes.

8 Q. Ibran Mustafic was politically very active, I

9 think. He was president of the municipality of

10 Srebrenica?

11 A. Yes.

12 Q. In one of your earlier statements, you said

13 that they killed Ibran Mustafic and that he didn't come

14 back --

15 A. That he didn't come back. What happened to

16 him, there was a kind of argument heard between him and

17 the Serb guards. He didn't come back into the gym.

18 What happened, I don't know.

19 Q. You also said that you heard from soldiers

20 who were outside, the words "he's finished"?

21 A. Hamed, yes.

22 Q. Witness N, I should like to show you the

23 statement you gave to the State Security Service in

24 Tuzla on the 25th of July, 1995.

25 THE REGISTRAR: [Interpretation] It will be

1 Exhibit D-17.

2 MR. PETRUSIC: [Interpretation] For Your
3 Honours, it is page two which has been highlighted, the
4 second sentence in the highlighted passage.

5 Q. Witness N, this is your statement, isn't it?

6 A. Yes.

7 Q. The second sentence in the highlighted part
8 in the first paragraph says, "After that, they called
9 out Ibran Mustafic, son of Mujo, former head of
10 Srebrenica municipality and deputy in the BH
11 parliament, the Republic of Bosnia-Herzegovina, and
12 killed him with a blunt object. I did not see them
13 beat him, but I heard the blows and his cries and a
14 Chetnik who said, 'He's finished.'"

15 Did you make that statement to the State
16 Security Service?

17 A. Well, certainly I can't remember, but I'm not
18 denying that I said that as well, because if that is
19 what I said, that is what they said; I didn't add or
20 detract from anything that I personally did not see or
21 hear.

22 Q. But Ibran Mustafic is alive?

23 A. Yes.

24 Q. Witness N, during those days, you saw General
25 Mladic on a number of occasions, you even spoke to him;

1 I could put it that way.

2 A. Yes. Only once I asked him a question.

3 Q. One of those questions was on the 13th of

4 July, 1995, in the warehouse, after you had spent the

5 night in the warehouse in Bratunac, in the morning,

6 when you addressed him with the words: "What are you

7 doing with us? Why are you killing people? Why are

8 you not taking us to be exchanged?" This is also from

9 the same statement that you made, the second paragraph
10 of the English version.

11 MR. PETRUSIC [Interpretation] And both Your
12 Honours and the Prosecutor have this document.

13 Q. What was General Mladic's reply to your
14 statement that people were being killed?

15 A. He said, "You will no longer be killed. It
16 was not possible to come to an agreement earlier on.
17 If that agreement had been reached, this wouldn't have
18 happened. We have come to an agreement now. You're
19 going to Kalisija. Count yourselves so that I can
20 designate transportation."

21 Q. Did he ask you who was killing men?

22 A. No.

23 Q. In your further contacts, did you tell him
24 that this was happening?

25 A. No, I did not.

1 Q. When they -- I may be wrong, but I think it
2 was on the 14th of July when they brought you to this
3 meadow for execution. You again saw Mladic?

4 A. I did.

5 MR. PETRUSIC: [Interpretation] I would like
6 to ask the usher to place on the ELMO Prosecutor's
7 Exhibit 20/8, for the witness to try to explain to us.

8 Q. Can you tell us, on this photograph, where
9 did that tamic come to a halt, the small truck that
10 brought you there?

11 A. Roughly here, somewhere here [indicates].

12 MR. PETRUSIC: [Interpretation] For the
13 record, the witness is pointing to the far right side
14 of the photograph, midway up.

15 Q. Where did they take your group?

16 A. Here [indicates].

17 Q. That is where the truck stopped?

18 A. Yes.

19 Q. And where did they take your group?

20 A. My group, here [indicates].

21 Q. How far was that from the truck?

22 A. I don't know which truck, because the truck
23 didn't come once; as the truck moved away, the next
24 groups came, because they were killing one after
25 another. If the first truck was five to ten meters,

1 about five meters, then the second came, and the third
2 was up here [indicates]. And they went on like that,
3 in a line.

4 Q. So in relation to the truck, and you told us
5 the spot where it was, your group was executed right
6 next to the truck?

7 A. As soon as the truck moved away, the group
8 was liquidated.

9 Q. Please, where was your body, or rather in
10 what position was it in relation to this small thicket
11 we see to the left?

12 A. My head was turned this way and my legs
13 towards the thicket.

14 MR. PETRUSIC: [Interpretation] I think it is
15 clear for the record, Your Honour.

16 Q. And so from that position you saw Mladic
17 arriving?

18 A. I did.

19 Q. Were you able to hear him say anything?

20 A. I could not, because the truck's engine was
21 still on while they were unloading the men, so that the
22 engine was on and I couldn't hear whether he was
23 talking or not.

24 Q. You remained on that spot for several hours,
25 until the last group that arrived was executed?

1 A. That is what somebody said: When the last
2 truck arrived, there were no more, that it was all
3 over.

4 Q. So you didn't move from there?

5 A. I did. When night fell and when they turned
6 on the lights, I took shelter. It was cloudy and it
7 started to drizzle, so the lights were not on me, and I
8 drew myself from under that dead pile and I went to the
9 left. And after a couple of meters I was free and I
10 lay there until they finished it all.

11 Q. So you abandoned the spot; you left the spot
12 where you were originally and moved a couple of meters
13 away. From that spot did you notice anything?

14 A. I noticed a truck coming, with men, and saw
15 the dead in front of me.

16 Q. And did you see from that spot Ratko Mladic
17 coming four or five times?

18 A. No. Only once.

19 Q. In your statement that you have before you
20 that you saw four or five times -- just a moment,
21 please. Just a moment, please. We're talking about a
22 particular time and place, this particular place, where
23 you say --

24 MR. PETRUSIC: [Interpretation] I think in the
25 English version that is page 3, and the last

1 highlighted paragraph.

2 Q. -- and I quote:

3 "While I lay there, the blood of the dead was
4 covering me. The Chetniks were bringing new groups in
5 the tamic and killing them.

6 "When dark fell, about an hour after I had
7 been brought there, I took advantage of the Chetniks'
8 carelessness and crawled into some bushes, where I
9 hid. From that place I saw them bringing new groups in
10 a tamic and killing them by the light of the headlights
11 of the two excavators, as they had also brought a
12 second excavator to this spot. While I lay there, I
13 saw Ratko Mladic, bareheaded, come up behind the tamic
14 four or five times in a red car and watch the
15 executions."

16 A. The translation is wrong. A red car escorted
17 every tamic, and Ratko Mladic appeared only once. And
18 I saw Ratko Mladic in all six times, so this must be an
19 error in the translation. I never said that Ratko

20 Mladic came every time. And there was a red car
21 escorting each of the tamic trucks.

22 Q. Witness N, I wasn't showing you the
23 translation; I was showing you your statement given to
24 the State Security Service of the Republic of
25 Bosnia-Herzegovina.

1 MR. PETRUSIC: [Interpretation] Mr. President,

2 I have no more questions.

3 Witness N, thank you.

4 THE WITNESS: Thank you too.

5 JUDGE RODRIGUES: [Interpretation] Thank you
6 very much, Mr. Petrusic.

7 Mr. Harmon, any additional questions,
8 please?

9 MR. HARMON: Just a few, Mr. President.

10 Re-examined by Mr. Harmon:

11 Q. Witness N, you were asked by my colleague
12 about the individual named Hamed Efendic, who was the
13 president of the SDA political party in Srebrenica.
14 Was Mr. Efendic an influential member of the Srebrenica
15 Muslim community?

16 A. Until the war, he was. When the war started,
17 he had no authority; other people were in command of
18 Srebrenica.

19 Q. I understand, but was he an esteemed and
20 highly regarded member of the community even though he
21 didn't have a political position?

22 A. Nothing in particular. If he did have a
23 political position, he didn't have any political
24 influence. He wasn't particularly held in high esteem.

25 Q. Ibran Mustafic, who was the former head of

1 the Srebrenica municipality and was a deputy in the
2 Bosnia-Herzegovina parliament, was he someone who was
3 influential and esteemed within the Muslim community of
4 Srebrenica?

5 A. He was until the war. He was more esteemed.
6 But when the war started, he meant nothing for
7 Srebrenica either.

8 Q. Now, after the -- strike that. While you
9 were in the warehouse, you said that the Bosnian Serbs
10 would come in and they would call out the names of
11 individuals. Is that correct?

12 A. Yes.

13 Q. Did you know all of the individuals whose
14 names were being called?

15 A. I didn't know any one of them, any one of
16 those men.

17 Q. Did it appear to you that, at least in part,
18 when the Bosnian Serbs were calling out names, that
19 they were selecting people who they were fully aware of
20 and who they wanted to identify?

21 A. They called out the name of the village and
22 they would say, "People from that village should get
23 up." Whether those people who got up knew one another,
24 I don't know. But before that, they would come and
25 they would know one another, but I didn't know our men,

1 nor the Serb soldiers. I didn't know either. They
2 spoke to each other as if they were acquaintances:
3 "Where are you? Where have you been? Where's your
4 family?" And then this man on our side would ask the
5 soldier about his family, and that is how they spoke.
6 But I didn't know anyone among the Serb soldiers or
7 among the people -- the Bosniaks who were talking to
8 them.

9 Q. Witness N, thank you very much.

10 MR. HARMON: Thank you, Mr. President.

11 JUDGE RODRIGUES: [Interpretation] Thank you
12 very much, Mr. Harmon.

13 Judge Riad.

14 JUDGE RIAD: Yes, I have a couple of
15 questions, Mr. President

16 Questioned by the Court:

17 JUDGE RIAD: Good morning, Witness N.

18 A. Good morning, Your Honour.

19 JUDGE RIAD: I would like to understand
20 perhaps globally the main features of your testimony;
21 first, the phases of execution you mentioned. I'm
22 trying to follow you. You said they would be calling
23 on some important people, prominent people, they would
24 go out, you would hear cries, they would not come
25 back. And you mentioned Hamed Efendic and Ibran

1 Mustafic, or whatever. These people, if I understood
2 rightly, were privileged to have special treatment, to
3 be tortured or anything, but they were selected.

4 The second phase were people coming out in
5 lines, blindfolded, and you were not among them yet.
6 These people, if I understood rightly, were called upon
7 from villages, asking each group to come, but not by
8 names. And if I understood rightly, they were executed
9 immediately out, because you heard the fire while you
10 were inside and they never came back.

11 Then at 7.30 you --

12 A. Yes.

13 JUDGE RIAD: -- were blindfolded and you went
14 in a small truck. I understand this was a third phase,
15 people taken away to be executed. And the truck would
16 go back and bring other people, you mentioned. They
17 would be put on rows and so on. Did I understand you
18 rightly? Was that exactly the evolution of the
19 situation?

20 A. As the people were getting out of the gym,
21 they were being blindfolded. First they would give the
22 person some water, and then afterwards he would be
23 blindfolded and then we would get on a truck. And this
24 continued for a while until they finished. And we were
25 then taken, still blindfolded, to a field, a pasture,

1 where we were then being lined up and executed.

2 JUDGE RIAD: The bottom line is that

3 everybody in the gym finished by going out, because you

4 stated 7.30.

5 A. Yes, everybody.

6 JUDGE RIAD: Everybody, because you also

7 mentioned that --

8 A. Some people remained in the gym after me, and

9 people were still being brought in after me. And at

10 one point somebody said, "It's all over," when the last

11 truck full of people came. And then the man asked the

12 soldier whether he wanted to go back with him, and he

13 said he wouldn't, and he said that maybe there would be

14 another truck coming back and that they would go back;

15 if not, they would stay there and keep guard all night.

16 JUDGE RIAD: I understood. I just want to

17 know the selection which happened at the beginning,

18 which included prominent people, was just at the

19 beginning, taking them out, and then you hear them

20 suffering and shouting. But after that there was no

21 selection; everybody was taken out?

22 A. After that everybody was taken out. There

23 were people who wanted to go first because they were so

24 thirsty. They just wanted to get some water. They

25 didn't care whether they would be killed or not. But

1 they didn't let us do that. There was supposed to be a
2 line; only once you have reached the entrance you could
3 get some water. There was a small room there with a
4 table in it where people were being given water, and at
5 the same time two soldiers would be blindfolding the
6 person. And after that the person was taken to the TAM
7 truck.

8 JUDGE RIAD: I understood that. So they were
9 all taken. But then you mentioned that when you looked
10 at the field after the executions took place, you found
11 more dead people than there were in the gym, so not
12 only all the people in the gym were killed, but
13 apparently other people came from other places. Is
14 that right?

15 A. No. This is how it seemed because we were
16 crowded in the gym while we were in the gym, and the
17 group appeared to be larger once we were in the field,
18 but it wasn't. They were not bringing people from
19 elsewhere. But because people were so crammed in the
20 gymnasium, it didn't seem that they were -- that there
21 were that many. But once they were lying dead on the
22 field, the number seemed greater. This is only how it
23 seemed but they were not bringing other people.

24 JUDGE RIAD: But it was all the people in the
25 gym in your opinion?

1 A. Only the people from the gym, yes.

2 JUDGE RIAD: Now, you said that in the gym

3 there were some people that could hardly move. You

4 said they were over 60, but people over 60 can move.

5 Were they also executed?

6 A. All of those who got out of the gym were

7 killed, whether they were young or old. As soon as

8 they could get up and reach the truck, they were taken

9 away. And afterwards, they didn't have to walk.

10 JUDGE RIAD: So you saw them being taken

11 away, you saw them being taken away. They were not

12 spared; children or old people.

13 A. No, there were no children, and the elderly

14 people were not spared.

15 JUDGE RIAD: Now, you heard the soldiers at a

16 certain stage introducing themselves to one another.

17 Do you remember what they said, which divisions they

18 belonged to?

19 A. No, they didn't.

20 JUDGE RIAD: Because I heard you saying that

21 some of them were saying they belonged to the wolves

22 and others say, "We belong to Arkanovac."

23 A. Well, yes, yes, I did say that. That is how

24 they addressed each other. We didn't call them that

25 way. It was the way they were addressing each other.

1 JUDGE RIAD: What did they say?

2 A. They would say, for example, "This one is an
3 Arkanovac," and then the man would say, "Yes, I am."
4 And he would ask him then, "Are you from the Drina
5 Wolves or some other wolves," I don't know, and then he
6 said, "Yes, I am, and I'm not ashamed of it." This is
7 how they were addressing each other, but I didn't know
8 where they were from.

9 JUDGE RIAD: Do you remember some of the
10 names?

11 A. No.

12 JUDGE RIAD: But why did you mention Drina
13 Wolves then? Did they mention it?

14 A. Yes, amongst themselves.

15 JUDGE RIAD: Among themselves. Did you
16 notice any accent? Were these an accent of Bosnia or
17 Croatia or Serbia or you don't remember?

18 A. I don't remember. All those accents were the
19 same for me. I am not very familiar with different
20 accents. I don't know where people come from. All I
21 can tell is that they are from the former Yugoslavia.

22 JUDGE RIAD: I think you served before in the
23 Bosnian army, you said, so you don't know the accents.

24 A. No.

25 JUDGE RIAD: You were in the Bosnian army or

1 in the Yugoslav army?

2 A. I served in the Yugoslav army, and during the
3 war before the area became protected, I served with the
4 Bosnian army.

5 JUDGE RIAD: Now, just for our knowledge, how
6 long -- you said that you stayed without moving until
7 all the soldiers went away. How long did this last,
8 staying without moving, do you remember?

9 A. No, I couldn't tell you exactly how long, but
10 it was quite dark, so it must have been around 11.00
11 p.m. but I cannot be precise. And after that, I left.

12 JUDGE RIAD: Thank you very much.

13 A. Thank you too, Your Honour.

14 JUDGE RODRIGUES: [Interpretation] Thank you
15 very much, Judge Riad.

16 Judge Wald.

17 JUDGE WALD: Witness N, I would just like to
18 clear one point in your answer to Judge Riad.

19 I thought I heard you testify that when the
20 soldiers were saying, "I am from the Arkan," or "I am
21 Drina Wolves," that was in the Bratunac warehouse not
22 in the gym at Zvornik; is that right? That's -- when I
23 read over my notes of your testimony yesterday --

24 A. In Bratunac.

25 JUDGE WALD: -- yes, I just wanted to clear

1 that up, where that happened, okay.

2 A. Yes.

3 JUDGE WALD: The second question I have is:

4 You said that the soldiers at the execution site wore
5 dark green camouflage uniforms. And before that, you
6 said that the soldiers around the gym guarding you or
7 transporting you wore green camouflage uniforms.

8 Was there a difference between those two
9 kinds of uniforms of those that were performing the
10 executions and those that were transporting or guarding
11 you or were they the same kind of green camouflage
12 uniforms?

13 A. There was only one man in the red vehicle
14 which was following the TAM truck who was wearing a one
15 colour grey uniform. Everybody else wore multicoloured
16 camouflage uniforms and this other man was wearing a
17 grey uniform.

18 JUDGE WALD: Okay. But the ones that wore
19 the green camouflage uniforms, it was the same kind of
20 uniforms; the men doing the executing and the men
21 guarding and transporting. Okay.

22 Now, when General Mladic came to the gym and
23 said that the prisoners would be transported -- would
24 be exchanged, how much time lapsed between then and the
25 time that they brought in the blindfolds and began to

1 take the men out blindfolded to the execution field?

2 It was the same day, you testified, but how
3 much time would you say between the time Mladic came
4 and said you were going to go to a prisoner exchange in
5 the gym, and then when they brought in the blindfolds
6 and began to get people ready to go to the execution
7 field?

8 A. When we were in the warehouse in Bratunac, he
9 told us that we would be exchanged and that we should
10 count ourselves, and that transport would be provided.
11 But this is not where they brought the blindfolds, not
12 in Bratunac.

13 JUDGE WALD: I understand that. But you also
14 testified, you also testified both today, and in your
15 earlier statement that when you were in the gym, when
16 you were in the gym in Zvornik, that Mladic came?

17 A. Yes.

18 JUDGE WALD: So I'm asking you what was the
19 time between that time when he came in the gym and
20 talked about -- you said he talked about saying that
21 you would be exchanged and the time they began to
22 blindfold you and take you in the trucks to the
23 execution field. Was it an hour, two hours, or what?

24 A. In the gym, Mladic did not say that we would
25 be exchanged. He said that we would be sent to Kladusa

1 and Bijeljina and it was only in Bratunac that he said

2 that we would be exchanged.

3 JUDGE WALD: All right. But the question

4 remains: How much time between whatever he said in the

5 gym and the time when they began to take you out?

6 A. Two to three hours.

7 JUDGE WALD: Okay. Thank you. And my last

8 question to you is: At the execution site, you said

9 that Mladic did come in a red car. How long did he

10 stay in your -- how long did you observe him to say at

11 the execution site? You testified today one time you

12 saw him in the red car at the execution site.

13 A. He stayed until all men were taken off the

14 TAM truck and until they were all executed.

15 JUDGE WALD: Well, roughly how much time did

16 that take?

17 A. Well, there were 25 to 30 people that had to

18 be taken off the TAM truck, and then they had to line

19 them up and execute them. I don't know how much time

20 that would be. You could perhaps judge for yourself.

21 JUDGE WALD: Well, I was not there; you

22 were. The -- would you say half an hour, an hour?

23 A. Well, not more than ten minutes.

24 JUDGE WALD: All right, thank you.

25 MR. HARMON: Pardon the interruption,

1 Mr. President, but I was examining the transcript as
2 Judge Wald was asking questions, and there was no
3 answer recorded on the transcript to Judge Wald's
4 question about whether the people who were wearing the
5 green camouflage uniforms at the execution sites were
6 wearing the same kind of green camouflage uniforms
7 guarding and transporting the prisoners.

8 To that question put by Judge Wald to Witness
9 N, there was no answer recorded.

10 JUDGE WALD: Would you answer that question
11 now then so we can have a complete record, whether or
12 not the uniforms of the men performing the execution of
13 the soldiers at the execution field were the same as
14 those that were guarding you at the gym, same army
15 camouflage uniforms.

16 You're nodding your head; is that yes?

17 A. Yes.

18 JUDGE WALD: Okay. Thank you.

19 JUDGE RODRIGUES: [Interpretation] Thank you,
20 very much, Judge Wald, and thank you, Mr. Harmon, for
21 your intervention.

22 Witness N, I also have a few questions for
23 you.

24 My first question is the following: You
25 arrive at the school, people get off the bus and you

1 told us that at that point, they were mostly men. Why

2 do you say "mostly"?

3 A. Because there were no children or women with
4 us.

5 JUDGE RODRIGUES: [No interpretation]

6 A. Yes.

7 JUDGE RODRIGUES: [Interpretation] So there
8 were only men. My second question is a synthetical
9 one. How many times did you see Mladic?

10 A. Six times.

11 JUDGE RODRIGUES: [Interpretation] Six times.

12 Could you then tell us where it was?

13 A. The first time I saw him was when I was
14 separated and taken to an unfinished house. The second
15 time was when we were being put on the buses in
16 Potocari, he was standing next to the buses. The third
17 time it was when he came to us and he told us that we
18 would be exchanged in Kalesija. The fourth time was
19 when we were boarding the buses; again, he was standing
20 right next to the buses. The fifth time was when he
21 came to the gym and when he told us that some of us
22 would go to Kladusa and some of us would go to
23 Bijeljina. And the sixth time was at the meadow where
24 we were executed.

25 JUDGE RODRIGUES: [Interpretation] Very well,

1 thank you. You can still see Prosecutor's Exhibit 20/8

2 on the monitor.

3 Mr. Usher, maybe the monitor of the witness

4 could be switched on.

5 Witness, could you please have a look at the

6 photograph. The one that is on the screen. And to

7 tell us the following: We know exactly where you were

8 but what I would like to know is where exactly was

9 General Mladic when you saw him?

10 A. He was here at this location [indicates].

11 JUDGE RODRIGUES: [Interpretation] So you say

12 that he was right next to these yellow marks somewhere

13 midway up the photograph. You have already told us

14 that that is exactly the spot where you were as well?

15 A. Yes.

16 JUDGE RODRIGUES: [Interpretation] So you were

17 there at the point that you're indicating and where was

18 Mladic?

19 A. Yes, I was lying like this. My head was here

20 [indicates] my legs facing the forest, and Mladic was

21 standing to my right. And the people who were

22 unloading the TAM truck were here [indicates], and he

23 was standing right next to the TAM truck.

24 JUDGE RODRIGUES: [Interpretation] Very well

25 then. Could you then tell us how far from you was

1 General Mladic?

2 A. Not more than ten metres away from me.

3 JUDGE RODRIGUES: [Interpretation] Good.

4 Thank you very much.

5 My next question for you is the following: I

6 think I have understood you correctly, but I would

7 like, nevertheless, to have a confirmation. When

8 General Mladic arrived here at this location, he was

9 able to see the results of the execution; is that

10 correct?

11 A. Yes, yes.

12 JUDGE RODRIGUES: [Interpretation] Very well.

13 Then when he arrived, you told us that the buses were

14 coming from the right side on the photograph and that a

15 line was being formed.

16 A. You mean the truck?

17 JUDGE RODRIGUES: [Interpretation] Yes, the

18 truck. And then after the people, the truck had left,

19 people would be lined up and executed. So when General

20 Mladic arrived here, could you tell us how many rows of

21 people were there already?

22 A. I couldn't count, Your Honour. I didn't

23 count. All I know is that there were quite a few of

24 them.

25 JUDGE RODRIGUES: [Interpretation] But could

1 you perhaps give us an estimate? Do you have an idea

2 as to the number of journeys that the truck made; how

3 many times the truck arrived to this spot?

4 A. After I had been brought to the spot, you

5 mean? No, no, I cannot give you a definite answer. I

6 was in great fear. I wasn't counting people. I

7 couldn't think about that. All I know is that it was

8 on several occasions, maybe even as many as ten times

9 that they brought people in, but I cannot tell you

10 exactly.

11 JUDGE RODRIGUES: [Interpretation] Good. But

12 maybe you will be able to answer the following

13 question: When you arrived at the execution site, had

14 there already been corpses there?

15 A. Yes.

16 JUDGE RODRIGUES: [Interpretation] Thank you.

17 Thank you very much, Witness N. I don't have any other

18 questions for you.

19 You have been asked a number of questions by

20 both parties and by the Judges, and you have answered

21 all of those questions. Is there anything else that

22 you would like to say? Anything that has not been

23 brought up, something you haven't had the opportunity

24 to say? If you wish to say something, you can do it

25 now.

1 A. Your Honour, I don't have anything else to
2 say. I have said everything I wanted to say. Thank
3 you.

4 JUDGE RODRIGUES: [Interpretation] Very well.
5 Witness N, thank you very much. There is a technical
6 matter that we have to attend to and after that you
7 will be free to go.

8 Mr. Petrusic, I believe that we have one
9 Defence exhibit, D-17.

10 MR. PETRUSIC: [Interpretation] Yes, Your
11 Honour. The Defence would like to tender D-17 into
12 evidence.

13 JUDGE RODRIGUES: [Interpretation] Mr. Harmon.

14 MR. HARMON: Subject to a number of
15 redactions which identify this witness by name and by
16 other features, we would have no objection. I have
17 gone through this in the examination. I can give a
18 copy to the registrar of the redactions that are
19 necessary.

20 JUDGE RODRIGUES: [Interpretation] The exhibit
21 D-17 there will therefore be admitted into evidence
22 under seal and there will also be a redacted version
23 which will be made available to the public.

24 Mr. Dubuisson, will you take care of that?
25 Very well, thank you.

1 Witness N, you have completed your testimony
2 here before the International Tribunal. Thank you very
3 much for coming to testify, and we are so glad you
4 survived the execution and we hope that you will have a
5 happy life after this. At least in order to -- to be
6 able to tell the world that the things that happened
7 independently of those who had committed them are
8 condemnable, are horrible, must not happen again.
9 Thank you very much, once again. Please do not move.

10 Let us see what's happening with our next
11 witness, Mr. Harmon.

12 MR. HARMON: Mr. President, we have another
13 witness. He will be a protected witness, and if we
14 could take perhaps ten additional minutes during the
15 break for reasons that are required, we would
16 appreciate it.

17 JUDGE RODRIGUES: [Interpretation] What kind
18 of protective measures will be applied, Mr. Harmon?

19 MR. HARMON: The same.

20 JUDGE RODRIGUES: [Interpretation] The same.
21 Mr. Petrusic.

22 MR. PETRUSIC: [Interpretation] We agree to
23 that, Your Honour.

24 JUDGE RODRIGUES: [Interpretation] Sorry,
25 Mr. Harmon, you asked for an additional ten minutes. I

1 was actually going to have a break. The break was
2 supposed to be 15 minutes. Do you need any additional
3 time?

4 MR. HARMON: We need an additional ten
5 minutes, Mr. President.

6 JUDGE RODRIGUES: [Interpretation] Twenty-five
7 minutes. So just for the public, there will be a
8 25-minute break now and after that we will resume with
9 the same protective measures for our next witness.
10 Twenty-five minute break.